



IAP15 Rec'd PCT/PTO 15 AUG 2006  
PCT \$

24798N2PCT/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

USA PCT National Stage Patent Application  
PCT/EP2004/050435 filed April 2, 2004

Sabine Meier, et al

Serial No.: 10/549,968

First Submission Filed: September 16, 2005

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CERTIFICATE OF MAILING ON LAST PAGE  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
AND SUBMISSION OF SURCHARGE FEES, TRANSLATION, PRELIMINARY  
AMENDMENT, AND SIGNED DECLARATION

In response to the Office Action dated July 12, 2006 copy  
enclosed, respectfully submitted herewith the signed and dated  
Combined Declaration of the inventors (3 pages) in compliance  
with 37 CFR 1.63 and 37 CFR 1.66 or 37 CFR 1.68 and 37 CFR  
1.497(a) and (b), identifying the application by PCT  
International application no. and international filing date and  
with power of attorney.

Respectfully presented is also the English translation (34 pages)  
which is believed to be an accurate translation of the  
PCT/EP2004/050435 application as originally filed in the German  
language. This translation is requested to be used as the copy  
for examination purposes in the Patent Office along with the

simultaneously submitted Preliminary Amendment which deletes the multiple form of all multiple-dependent claims so multiple-dependent claims do not exist in this application. The Preliminary Amendment includes an Abstract on a separate page to be entered simultaneously with the filing of all papers and the Preliminary Amendment is Requested to be ENTERED before calculation of claim filing fees.

Attached is check no. 16537 in the amount of \$1060.00 (namely, \$130.00 for the processing fee for providing the translation later than 30 months from the priority date (37 CFR 1.492(f)), and \$130.00 for late but timely filing of the Declaration, including \$800.00 for 16 extra claims in excess of twenty total claims for a large entity.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any over-payment to deposit account no. 06-0105.

08/18/2006 ATRAH1 00000148 10549958

01 FC:1617 130.00 DP  
02 FC:1618 130.00 DP

08/18/2006 ATRAH1 00000148 10549958

03 FC:1615 300.00 DP

Respectfully submitted,  
Sabine Meier, et al

by: \_\_\_\_\_  
MARTIN A. FARBER  
Attorney for Applicants  
Registered Representative  
Registration No. 22,345

CERTIFICATE OF MAILING UNDER 37 CFR SECTION 1.8(a)

I hereby certify that the accompanying Response to Notification of Missing Requirements under 35 USC 371 in the United States Designated/Elected Office (DO/EO/US), signed Declaration (3 pages), English Translation (34 pages), Preliminary Amendment, and check no. 16537 \$1060.00 are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 11, 2006.

Dated: August 11, 2006

  
Martin A. Farber

866 United Nations Plaza  
New York, NY 10017  
(212) 758-2878



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/549,968	Sabine Meier	24798N2PCT/US
INTERNATIONAL APPLICATION NO.		
PCT/EP04/50435		
I.A. FILING DATE		PRIORITY DATE
04/02/2004		03/05/2003
CONFIRMATION NO. 6948		
371 FORMALITIES LETTER		
 *OC000000019570631*		

Date Mailed: 07/12/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/16/2005
- Copy of the International Search Report filed on 09/16/2005
- Information Disclosure Statements filed on 09/16/2005
- Copy of references cited in ISR filed on 09/16/2005
- U.S. Basic National Fees filed on 09/16/2005
- Priority Documents filed on 09/16/2005
- Specification filed on 09/16/2005
- Claims filed on 09/16/2005
- Drawings filed on 09/16/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

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Telephone: (703) 308-9140 EXT 205

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/549,968	PCT/EP04/50435	24798N2PCT/US

FORM PCT/DO/EO/905 (371 Formalities Notice)